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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to "MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on September 29, 2006.

  
Curtis L. Schrandt

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : PLANEZZOLA, Sergio et al.  
U.S. APPLICATION NO. : 10/523,441  
U.S. APPLICATION FILED : 05/05/2005  
TITLE OF INVENTION : BUOYANCY COMPENSATOR DEVICE,  
PARTICULARLY FOR DIVERS  
ART UNIT : 3617  
EXAMINER : OLSON, Lars A.

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION FOR REVIVAL, UNDER 37 CFR § 1.137(b),  
OF PATENT APPLICATION DESIGNATING THE U.S.  
ABANDONED UNINTENTIONALLY

Sir:

In response to a Notice of Abandonment mailed 09/27/2006, Applicants hereby petition to revive the above-referenced patent application in that the purported abandonment was unintentional.

STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.



The reply due for the Office Action mailed 10 Feb. 2006, i.e., an Amendment, is included herewith. A copy of the Notice of Abandonment also is included.

Please credit any overpayment or charge any additional fees due in connection with this communication to Deposit Account No. 04-0838. A copy of this submission is enclosed herewith for deposit account charging purposes.

Respectfully submitted,

Coleman Sudol Sapone, P.C.

Dated: September 29, 2006

A handwritten signature in cursive script, appearing to read "R. Neil Sudol", is written over a horizontal line.

R. Neil Sudol  
Reg. No. 31,669  
Attorney for Applicant

714 Colorado Ave.  
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203-366-3560



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,441	05/05/2005	Sergio Pianezzola	Z01-153	3852

28156 7590 09/27/2006  
COLEMAN SUDOL SAPONE, P.C.  
714 COLORADO AVENUE  
BRIDGE PORT, CT 06605-1601

EXAMINER

OLSON, LARS A

ART UNIT PAPER NUMBER

3617

DATE MAILED: 09/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

SEP 29 2006

COLEMAN SUDOL SAPONE, P.C

<b>Notice of Abandonment</b>	Application No.	Applicant(s)	
	10/523,441	PIANEZZOLA ET AL.	
	Examiner	Art Unit	
	Lars A. Olson	3617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 10 February 2006.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
  
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
  
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
  
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
  
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
  
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
  
7. ☐ The reason(s) below:

**LARS A. OLSON  
PRIMARY EXAMINER**

*Lars Olson*  
9/18/06

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.